

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

CARL AUTH,)	
)	
Plaintiff)	
)	2:05cv672
vs.)	Electronic Filing
)	
COMMISSIONER OF SOCIAL)	Judge Cercone
SECURITY,)	Magistrate Judge Hay
Defendant)	

ORDER OF COURT

AND NOW, this 5 day of ^{April} ~~March~~, 2006, after the plaintiff, Carl Auth, filed an action in the above-captioned case, and after Motions for Summary Judgment were submitted, and after a Report and Recommendation was filed by the United States Magistrate Judge granting the parties ten days after being served with a copy to file written objections thereto, and no objections having been filed, and upon independent review of the motions and the record, and upon consideration of the Magistrate Judge's Report and Recommendation, which is adopted as the opinion of this Court,

IT IS ORDERED that the Plaintiff's Motion for Summary Judgment is DENIED;

IT IS FURTHER ORDERED that the Defendant's Motion for Summary Judgment is GRANTED;

IT IS FURTHER ORDERED that the decision of the Commissioner denying Plaintiff's application for disability insurance benefits is affirmed;

IT IS FURTHER ORDERED that, pursuant to Rule 4(a)(1) of the Federal Rules of Appellate Procedure, if the plaintiff desires to appeal from this Order he must do so within thirty (30) days by filing a notice of appeal as provided in Rule 3, Fed.R.App.P.



DAVID STEWART CERCONI
United States District Judge

cc: Honorable Amy Reynolds Hay
United States Magistrate Judge

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